

Tom Horne
Superintendent

N·E·W·S

ARIZONA DEPARTMENT OF EDUCATION

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HORNE PLEASED WITH NEWS THAT NINTH U.S. CIRCUIT COURT OF APPEALS HAS ISSUED A 10 DAY STAY IN THE *FLORES* DECISION

FOR IMMEDIATE RELEASE:
Friday, March 31, 2006

PHOENIX (Friday, March 31, 2006) -- State schools Superintendent Tom Horne today announced that the Ninth Circuit Court of Appeals has granted a 10 day stay of the effectiveness of the trial judge's order in the *Flores* English language learner funding case.

Horne stated, "During the next 10 days there will be a hearing for the Ninth Circuit to determine whether it wishes to extend the stay long enough for us to make a case on the merits.

Today's order does not constitute a determination of the merits, but it does mean that there are serious legal issues that need to be addressed. I am as determined as anyone in Arizona that adequate resources be devoted to teaching students English, but those determinations should be made by the citizen's elected representatives, not by an unelected federal judge. At a minimum the funds should be distributed in a systematic and scientific manner, as provided for by the Legislature, and not in a haphazard manner."

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